

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

CHICKASAW NATION and)
CHOCTAW NATION OF OKLAHOMA,)

Plaintiffs,)

vs.)

Case No. CIV-11-927-W

MARY FALLIN, in her official capacity as)
Governor of the State of Oklahoma, *et al.*;)

Defendants,)

**JOINT STATUS REPORT AND
JOINT MOTION FOR A FURTHER 120-DAY STAY OF THIS ACTION**

By Order dated May 13, 2015 [Doc. 134], this Court stayed all proceedings in this action for 120 days, and entered a similar Order in *Oklahoma Water Resources Board v. United States of American, et al.*, No. CIV-12-275-W (W.D. Okla.). This Court ordered the parties to file a written report by September 9, 2015 advising the Court whether an extension of the stay is warranted and would be beneficial to the resolution of any issues in this case and if so, the additional period of time requested. There has been a substitution of three parties sued in his or her official capacity as members of the Oklahoma Water Resources Board and a substitution of parties will be filed in the near future as required by Rule 25(d), F.R.Civ.P.

Since this Court entered the stay order on May 13, 2015, representatives of the United States, the Chickasaw Nation, the Choctaw Nation of Oklahoma, the State of Oklahoma, the Oklahoma Water Resources Board, the City of Oklahoma City, and the Oklahoma City Water Utilities Trust have continued to discuss issues in both cases. All parties have continued diligently to undertake factual and legal research and analysis in preparation for further discussions.

The parties in both cases have concluded that a further stay of both actions would benefit all parties, and respectfully move this Court to extend the stay of these proceedings for an additional 120 days - through January 7, 2016. The parties request that the extension incorporate all deadlines and terms set forth in this Court's Order of May 13, 2015 [Doc. 134]. The relevant parties are also concurrently moving to extend the stay in No. CIV-12-275-W. The parties to this action respectfully request that this Court extend the stay as to both the instant action and Case No. CIV-12-275-W, or deny an extension as to both, as all parties concurring in this motion seek to focus on negotiation without affording any party a procedural advantage over any other party.

The parties may determine that an additional period will be beneficial to continue addressing substantive and/or procedural issues. If so, any such party or parties will report to the Court and move for a further stay at that point; any party or parties who do not agree to a further stay may object to said motion.

At this time there has been no substitution of any party sued in his or her official capacity as required by Rule 25(d), F.R.Civ.P.

Undersigned counsel have contacted the attorneys who have entered appearances as of the date of this motion, and none has objected to this motion.

Dated September 9, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of September, 2015, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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s/ Michael Burrage
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